REMARKS

Claims 1-7 were rejected under 35 USC 112, first paragraph. This rejection is respectfully traversed and should be withdrawn in light of this Amendment.

Claims 2-6 were ***not*** rejected over prior art and should therefore now be allowable.

Claims 1 and 7 were rejected as being anticipated by Takeuchi. This rejection is respectfully traversed.

Takeuchi is directed to a positive electrode active material having *particles* of a positive electrode active material of $Li_{1+x}Mn_{2-x-y}M_yO_4$ coated with a cover layer formed on the surface of the *particulate shaped positive electrode active material.*

The present invention of claim 1 is directed to an electrode of a secondary battery comprising a porous film *on a metal oxide electrode*, wherein the porous film consists essentially of a metal, a metal oxide or a carbon, and the metal oxide electrode comprises an active material selected from the group consisting essentially of $LiCoO_2$, $LiNiO_2$, V_6O_{13}, V_2O_5 and a combination thereof.

First, please note that the positive electrode active material of Takeuchi is $Li_{1+x}Mn_{2-x-y}M_yO_4$, wherein $0 \leq x \leq 0.2$ and $0 \leq y \leq 0.3$ (see column 5, lines 64 and 65 of Takeuchi). When x and y are zeros, $Li_{1+x}Mn_{2-x-y}M_yO_4$ becomes $LiMn_2O_4$. In claim 1, the active materials recited in claim 1 excludes $LiMn_2O_4$.

Second, persons of ordinary skill in this art would immediately recognize that Takeuchi's *particulate* shaped positive electrode active material is not a metal oxide electrode. The positive electrode of Takeuchi contains the particulate shaped positive electrode active material, but the particulate shaped positive electrode active material itself is not an electrode. See column 11, lines 13-21, of Takeuchi:

> Further, the positive electrode described above is manufactured, for example, in such a manner that the positive electrode active material described above and the binder are suspended in an appropriate solvent to prepare a suspended solution, then the suspended solution is coated onto a collector and dried, thereafter the coated collector is pressed by a pressing machine. In this regard, as a material for constituting the collector, for example, aluminum foil, stainless steel foil, nickel foil or the like are preferably used.

Third, on page 3, line 11, of the Action, the Examiner has cited column 11, lines 22-67, of Takeuchi for disclosing "that the cover layer is porous ... ." Column 11, lines 24-26, states, "is preferable to provide pores or voids (perforations) in the electrode sheets at an appropriate amount and size." That is, Takeuchi discloses that the electrode *sheet*, "for example, aluminum foil, stainless steel foil, nickel foil or the like" (see column 11, lines 20 and 21, of Takeuchi, quoted above) covering the positive electrode could have pores in it. Nowhere does Takeuchi disclose that the "cover layer is porous" as stated by the Examiner.

Thus, there is a significant difference between Takeuchi and this invention and the anticipation rejection over Takeuchi should be withdrawn.

In the event that the transmittal letter is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 300602002000.

Respectfully submitted,

Dated: December 10, 2003

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